

Appl. No. 10/808,853
Amdt. dated Jan. 5, 2005
Reply to Office Action of Oct. 5, 2004

R E M A R K S

Claims 1-20 have been cancelled.

Claims 21-48 remain in the application.

Original claim 21 has been amended, and original claim 22 and new claim 23 depend from claim 21.

Claims 24-26 are a rewriting in independent form of allowable claims 6-8.

Claims 27-33 are new and include the recitation of a concrete form.

Claims 34-48 are similar to original claims 1-5 and 9-20.

Claim 21 was rejected on grounds of being confusing and unclear. The Examiner presumed that claim 21 addressed FIGS. 2 and 3. However, the claim actually addresses FIG. 11 that shows an electrical enclosure having a rear cover C and a removable knockout cover E. Claim 21 has been amended to recite that it is the removable knockout cover that is molded integrally in one-piece with the peripheral wall of the enclosure, and to recite the frangible web more specifically. These revisions remove any confusion.

Claims 1-4 and 9-22 were rejected under 35 U.S.C. § 103(a) on U.S. Patent No. 6,774,307 to Kruse et al taken with U.S. Patent No. 6,608,252 to Hurley. Claim 5 was rejected on the same references when further considering U.S. Patent No. 6,023,021 to Matthews.

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Kruse et al discloses an electrical box that is adapted to be accessed from both sides of a wall, also known as a "through-wall box." Lines 63-67 of column 1 and lines 1-3 of column 2 suggest that existing plaster rings are not suitable for use with the new box:

"Additionally, plaster ring plates that cover existing electrical boxes, also referred to herein as frames, typically include an aperture for receiving the electrical outlet and/or control module that is centered in the frame. This placement of the aperture does not permit the most efficient use of space within the electrical box nor ease of electrical outlet and/or control module installation in a back-to-back installation."

The above quote suggests that the Hurley ring is undesirable for use in the Kruse et al design. Therefore, a person of ordinary skill in the art would not have any motivation to use the Hurley plaster ring in Kruse et al, and the art does not provide any motivation.

Hurley discloses a plaster ring having a separable cover 26 that is held in place by breakable twist links 22. The cover is rotated back and forth about the twist links until they break - see lines 8-24 of column 6.

Although Hurley mentions that the plaster ring can be made of metal or plastic (lines 35-37 of column 6), it is plain that a metal stamping or a thermoformed sheet of plastic is shown in the drawing rather than a molded plastic enclosure.

There is an opening around nearly the entire periphery of the Hurley cover 26 that would permit seepage of concrete into the enclosure. Also, hydraulic pressure could cause rotation of the cover around the twist links and allow entry of additional concrete. The purpose of the Hurley cover is to prevent a drywall saw from entering the box, and it is not designed to prevent entry of poured concrete or to withstand hydraulic pressure from poured concrete.

The Hurley cover 26 has a peripheral wall 16 and an inwardly extending front frame 18 with an opening in which cover 26 is located. The enclosure of the present application does not have a front frame like that at 18 in Hurley. Instead, the cover of the present application is attached directly to the inside surface of the peripheral wall. There is no suggestion of attaching the Hurley cover to the inside surface of Hurley's peripheral wall 16. The arrangement of this application provides full access to the entire enclosure cavity through the front opening thereof.

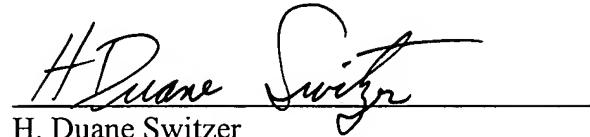
The Examiner contends that FIG. 2 of Hurley shows a cover having a thickness that is less than the thickness of the peripheral wall as recited in original claim 9. However, it is plain that the plaster ring is stamped from a sheet of uniform thickness, and that back plate 12, peripheral wall 16, front frame 18 and cover 26 all have essentially the same thickness.

Matthews et al discloses a wall plate for covering an electrical outlet, and the plate includes stiffening ribs. There is no motivation for a person of ordinary skill in the art to provide the Hurley cover with ribs. In the present application, the ribs insure separation of the cover at the frangible web instead of breaking randomly when struck by a blow. The manner of removal of the Hurley cover by twisting it back and forth about the twist links does not require any ribs and they would serve no purpose. Furthermore, the cover of Matthews et al is concave as clearly shown in FIGS. 3-5, 8 and 9, and the ribs are within the concave cavity at the rear of the cover plate. There is no reason why a person of ordinary skill in the art would make the Hurley cover 26 concave in order to provide ribs in a rear cavity thereof per Matthews et al.

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In the absence of more pertinent art, this application is now in condition for allowance.

Respectfully submitted,


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